

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)	
)	
v.)	No. 1:21-cr-28-10 (APM)
)	
KENNETH HARRELSON,)	
)	
Defendant.)	

**GOVERNMENT’S OPPOSITION TO DEFENDANT’S
SUPPLEMENT TO HIS MOTION FOR RELEASE**

On August 20, 2021, Defendant Kenneth Harrelson’s predecessor counsel provided the government with a sealed supplement to Defendant Harrelson’s motion seeking release (ECF 341), proffering as an additional reason for release his purported medical condition (“Motion”).¹ On September 17, 2021, after entering an order (ECF 430) denying Defendant Harrelson’s motion for release, the Court entered a minute order directing the government to file a response indicating whether the defendant’s health conditions should affect his detention status. The answer is no.

The motion asserts that the defendant is acutely suffering from a particular viral infection. *See* Motion at 1 (“Medical reports show that since Mr. Harrelson has been detained at CTF he has come in contact with, ingested, and been infected with [redacted virus].”). However, the defendant’s medical records² show that he is not suffering from an infection; rather, the defendant has *antibodies* for that virus, indicating that he has *immunity* from that virus (based on either a vaccine or a prior infection). Indeed, an August 24, 2021, entry on his medical chart states:

¹ This motion does not appear to have been docketed, but the Court’s September 17, 2021, minute order suggests the motion was assigned ECF No. 357.

² The government provided the full medical records and a draft of the instant pleading to Defendant Harrelson’s current counsel, who informed the government that the defense had no objection to the government publicly filing the instant pleading.

Pt. seen for concern re: [redacted virus]. Pt. has +immunity to [redacted virus]. Was informed by attorney that patient had a [redacted virus] infection. Pt. states he was not concerned about his [redacted virus] status. States his wife has patient access to labcorp and checked his lab results and was concerned. He has no medical complaints.

Therefore, the information in the defendant's supplement about his purported medical condition does not affect his detention status.

Respectfully submitted,

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